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To:	Examiner Thomas Sweet Group Art Unit 3738	From:	Raymund F. Eich, Ph.D. Reg. No. 42,508
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No. of Pages:	8	Date:	July 15, 2005
Re:	Serial No. 09/746,712	File:	2009.015300

*w/ coversheet

ORIGINAL: Will follow XX Will not follow

Comments:

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JUL 15 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOSEPH ANDREW CHINN
R. MICHAEL CASANOVA

Serial No.: 09/746,712

Filed: December 21, 2000

For: ANTIBIOTIC TREATED IMPLANTABLE
MEDICAL DEVICES

Confirmation No.: 3630

Group Art Unit: 3738

Examiner: Thomas Sweet

Attorney Docket: 2009.015300/RFE
(CMI-397)

CUSTOMER NO. 23720

RESPONSE TO OFFICE ACTION
DATED APRIL 25, 2005MAIL STOP AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Office Action dated April 25, 2005, for which the three-month date for response is July 25, 2005.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Director is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2009.015300RE.

An amendment to the claims follows at pp. 2-5 and remarks follow at pp. 6-7. Reconsideration of the application is respectfully requested.

CERTIFICATE OF FACSIMILE
37 C.F.R. § 1.6(d)

I hereby certify that this paper is being facsimile transmitted to MAIL STOP AMENDMENT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, facsimile number 1-703-872-9306, on this 15th day of July 2005.



Cynde Meinhart